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10 Attorney for Defendant
11 WILLIAM MONTE DAVIS

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14

15 UNITED STATES OF AMERICA,

16 Plaintiff,

17 v.

18 WILLIAM MONTE DAVIS,

19 Defendant.

CR-11-0337-MMC

STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING HEARING

20 STIPULATION

21 Counsel for Defendant WILLIAM MONTE DAVIS, George C. Boisseau, is presently
22 reviewing information relevant to the application of a Fed.R.Crim.P. 17(c) subpoena for the
23 personnel records of a state law enforcement officer. Unrelated to this application, the
24 undersigned has requested additional information from the government regarding the
25 defendant's criminal history. Accordingly, Defendant WILLIAM MONTE DAVIS and the
26 government, through undersigned counsel, stipulate that there is good cause to continue the
27 hearing presently scheduled for status/setting from April 11, 2012 to May 2, 2012 at 2:15 p.m.,
28 before the Honorable Maxine M. Chesney.

The parties further stipulate and request that the period from April 11, 2012 up to and
including May 2, 2012 be excluded under the Speedy Trial Act pursuant to 18 U.S.C.
§§3161(h)(7)(A) and 3161(h)(7)(B)(iv) in order to assure defendant continuity of counsel and

1 effective preparation of counsel.

2 IT IS SO STIPULATED.

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4 Dated: April 9, 2012

/s/

GEORGE C. BOISSEAU
Attorney for Defendant William Monte Davis

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6
7 Dated: April 9, 2012

/s/

CHINHAYI COLEMAN CADET
Assistant United States Attorney

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10 ORDER

11 1. GOOD CAUSE APPEARING, it is hereby ordered that the hearing scheduled
12 for status/setting be continued from April 11, 2012 until May 2, 2012 at 2:15 p.m., before the
13 Hon. Maxine M. Chesney.

14 2. Time is excluded under the Speedy Trial Act, 18 U.S.C. § 3161 from April 11,
15 2012 until May 2, 2012 for continuity of counsel and effective preparation of counsel for
16 Defendant William Monte Davis. Failure to grant the requested continuance would
17 unreasonably deny the defendant continuity of counsel, and would deny defense counsel the
18 time necessary for effective preparation, taking into account the exercise of due diligence.

19 3. Given these circumstances, the Court finds that the ends of justice served by
20 excluding the period from April 11, 2012 until May 2, 2012 outweigh the best interest of the
21 public and Defendant William Monte Davis a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

22 4. Accordingly, the Court orders that the period from April 11, 2012 up until and
23 including May 2, 2012 be excluded from the Speedy Trial Act calculations as to Defendant
24 William Monte Davis under 18 U.S.C. §§ 3161(h)(7)(A) & (B)(iv).

25 IT IS SO ORDERED.

26 Dated: April 10, 2012

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HON. MAXINE M. CHESNEY
United States District Judge